

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

In Re: John Malone	Case Number 24-10885-CJP Chapter 13
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**ASSENTED TO MOTION TO CONTINUE HEARING ON OBJECTION  
TO DEBTOR'S AMENDED CHAPTER 13 PLAN [DOC. NO. 42]**

Now comes The Bank of New York Mellon FKA The Bank of New York Successor Indenture Trustee to JPMorgan Chase Bank, N.A., as Indenture Trustee on behalf of the noteholders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2005-F ("Secured Creditor") and respectfully requests that the hearing currently scheduled for Wednesday, December 18, 2024 at 2PM be continued for an additional period of approximately thirty (30) days, or to some other date and time that this Court deems just and proper.

As grounds for said Motion, Secured Creditor states that the parties remain in the process of attempting to resolve this matter, but require additional time to continue with their discussions as to same. Notably, the Debtor (through his counsel) recently filed a Motion to Sell (Doc. No. 97 filed on December 16, 2024), which upon approval and consummation, will result in the payoff of Secured Creditor's claim in full and necessitate the filing of a further Amended Chapter 13 Plan.

WHEREFORE, Secured Creditor respectfully requests that the hearing on this matter be continued for an additional period of approximately thirty (30) days. Counsel for the Debtor, Attorney Glenn F. Russell, Jr., has assented to the filing of this Motion.

Dated: December 16, 2024

Respectfully submitted,  
The Bank of New York Mellon FKA The Bank of New York Successor Indenture Trustee to JPMorgan Chase Bank, N.A., as Indenture Trustee on behalf of the noteholders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2005-F  
By its attorney,

/s/ Marcus E. Pratt  
Marcus E. Pratt, Esquire  
BBO #684610

Korde & Associates, P.C.  
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**CERTIFICATE OF SERVICE**

I, Marcus E. Pratt, Attorney for **The Bank of New York Mellon FKA The Bank of New York Successor Indenture Trustee to JPMorgan Chase Bank, N.A., as Indenture Trustee on behalf of the noteholders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2005-F** hereby certify that on December 16, 2024 I electronically filed the foregoing *Assented to Motion to Continue* with the United States Bankruptcy Court for the District of Massachusetts using the CM/ECF System. I served the forgoing documents on the following CM/ECF participants:

Richard King, Assistant U.S. Trustee  
Carolyn Bankowski, Ch. 13 Trustee  
Glenn F. Russell, Jr., Esquire

I certify that I have mailed by first class mail, postage prepaid the documents electronically filed with the Court on the following non-CM/ECF participants:

John Malone  
26 Savin Hill Avenue  
Dorchester, MA 02125

/s/ Marcus E. Pratt  
Marcus E. Pratt, Esquire  
BBO #684610  
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